



11-14-3

Express Mail No. EV 313 842 201 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Baxter, et al.	Confirmation No.:	7561
Serial No.:	09/281,717	Art Unit:	1631
Filed:	March 30, 1999	Examiner:	M. Moran
For:	METHODS AND COMPOUNDS FOR MODULATING NUCLEAR RECEPTOR COACTIVATOR BINDING	Attorney Docket No.:	9811-008-999

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants thank Examiner Moran for the telephonic interview of October 15, 2003, conducted with Applicants' representative, Richard G. A. Bone, and hereby submit a recordation of the substance of the interview, in response to the Interview Summary mailed October 28, 2003. The following items were discussed:

1) Restriction Requirement:

The Examiner clarified that Applicants had not presented any characterization of claim 9 in their response to the restriction requirement mailed April 7, 2003, and that her remarks in the Office Action mailed July 16, 2003 should not be read to imply this. She further clarified that she regarded claim 1 to be generic, and that claim 9 is "semi-generic." The Examiner also said that issuing a restriction with respect to the various claims drawn to different receptors was a more reasonable way to approach examination than would have been issuing an election of species.

2) New Matter Objection (c) in the July 16, 2003 Office Action:

The Examiner is thanked for explaining why various choices of language would still be considered "new matter", and for agreeing to consider a form of language presented in Applicants' Amendment and Response, mailed October 16, 2003.

3) Claim language for claim 2:

Applicants thank Examiner Moran for the opportunity to discuss various forms of amendment to claim 2, and for agreeing to consider a form of language presented in Applicants' Amendment and Response, mailed October 16, 2003.

4) Rejections over Scanlan:

Applicants thank the Examiner for discussing Applicants' intent to remove Scanlan as a reference and her indication that, provided that Applicants make a proper statement on the record regarding common ownership of Scanlan, then the rejections over Scanlan would be freshly considered.

5) New claims:

Applicants thank the Examiner for the opportunity to discuss potential new claims that Applicants intend to file, after-Final, and potential requirements for further searching that may arise therefrom.

Although Applicants do not believe any fee is due with this submission, please charge any requisite fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for this purpose.

Respectfully submitted,

Date: November 12, 2003

Richard G. A. Bone

Richard G. A. Bone
Limited Recognition Under 37 C.F.R. § 10.9(b)
(Copy of Certificate attached hereto)

for Samuel B. Abrams, Reg. No. 30,605
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090